REMARKS

The office action has been carefully considered together with the references that have been cited and applied. Applicant, by and through his attorney, wishes to express appreciation for the cordial interview that transpired on September 1, 2004, in which the principal reference of Yokoyama was discussed. Applicant indicated that the extensive discussion of Yokoyama indicated that the examiner understood the Japanese language and that the comments that were made concerning this reference revealed considerable more knowledge than was set forth in the abstract that was provided by the EPO which consisted of less than a full page of description relating to the nature of the operation of the Yokoyama system.

The examiner indicated that he did read Japanese and also informed applicant that the Japanese Patent Office had a free computer translation system in which an English translation could be obtained and offered to acquire and fax the English translation to applicant, which was done. The examiner indicated that such computerized translations are often inaccurate and difficult to understand. In the cover letter of the facsimile transmittal, the examiner specifically cautioned the applicant that the Office is not responsible for any erroneous interpretation resulting from inaccuracies between the original foreign language reference and the machine translation of the reference, as the machine translation may not reflect the original precisely. The translation itself contains similar language. It is also indicated that none of the text shown in the drawings are translated in this machine translation.

Applicant wishes to point out that the translation was indeed difficult to understand and that the examiner has also relied on descriptions of text contained in drawings which applicant is unable to verify the accuracy of or at least fully consider. Applicant formally requests that if the amendments that are made herein are unsuccessful and if Yokoyama continues to be a basis for rejection of the claims of this application, an accurate translation from the PTO should be provided to applicant.

Applicant has amended the specification to insert the heading "Background of the Invention", but has declined to insert other headings that are not applicable. It is believed that it is totally unnecessary to insert headings which have no applicability. Requiring such information merely elevates form over substance and provides no practical benefit. Applicant has, however, inserted the title Background of the Invention and agrees with the examiner that this is an appropriate amendment.

The objections to the claims, and particularly claims 12, 15-17, have been noted and amendments have been made to overcome these with the exception of the suggestion that the "the width of the . . . port" should be changed to "a width of the . . . port" because it is believed to be awkward and unnecessary. It is certainly known that a port has a width and antecedent basis should not be necessary in the context of these claims.

The examiner has rejected claims 1, 3, 6-8, 11-13 and 15 under 35 U.S.C. 102(b) as being anticipated by Yokoyama. Applicant has amended claim 1 to incorporate the subject matter of claim 9 and has amended claims 12, 16 and 17 to incorporate the subject matter of claim 15. As a result of these amendments, it is believed that Yokoyama applied singularly or in combination, fails to anticipate, teach or suggest the subject matter of these independent claims.

With regard to amended claim 1, which now includes the subject matter of claim 9, the examiner's comments with regard to claim 9, states that setting switches 2 and 3 make the port configure as an output port according to Figs. 3 and 11, with less width than said input port and cites Fig. 24 and paragraph 0149. The reliance on Fig. 24 is not instructive as it merely shows a table of control numbers, i.e., C1 through C9, which essentially seems to show that a 256 bit band can be secured for transmitting 128 bit or 256 bit data, with paragraph 0149 reading "C6 shows the case where 128 bit band can be secured in case 256 bit data are transmitted to a 128 bit port and in case C7 transmits 256 bit data to 128 bit port, it shows the case where a band is not securable." Nowhere else in the specification, to the extent that applicant can understand it, is there any discussion that data is formatted at all.

All of the other cases (C1-C5 and C8-C9) indicate that data is either smaller or the same size as the output port capacity, and if not, the band is not securable. There is no discussion why or how case C6 differs from case C7 anywhere in the 25 page translation. It is submitted that the described case C6 is either gratuitous or erroneous. Nowhere in the specification does it indicate that data is reformatted to fit the width of the output port if the output port capacity is less than that of the input port.

The subject matter of claim 15 has been added to claims 12, 16 and 17 and the examiner has commented with regard to claim 15 that Yokoyama meets the formatting step by Box S20 in Fig. 14, which is untranslated Japanese text that appears to be unimportant and paragraphs 0090-0091. Paragraphs 0090-0091 in the computer-generated translation read as follows: "[0090] A discernment bit secures the near path of '1' and the crossbar switch side address control section 61-1 relays a transfer OK signal to the address control section 81-1 in a board of the processor board 2-1 (drawing 14 step S20). [0091] In this case, the crossbar switch side address control section 61-1 records the path and phase hand information which were secured to (memory B) 61C-1 (drawing 14 step S20). Henceforth, with reference to the path and phase hand information which were recorded on (memory B) 61C-1, it checks about the signal from the address control section 81-1 in a board, and if it is a signal from the same communications partner, the junction of the signal will be continued till transfer termination (drawing 14 step S21). In addition, if the crossbar switch side address control section 61-1 becomes transfer termination, it will eliminate the path information on (memory B) 61C-1 simultaneously (drawing 14 step S22)."

Clearly, these paragraphs cited by the examiner have nothing to do with the step of processing the data which comprises the steps of determining whether the width of the input port is more than the width of the output port, submitting the data as processed data when the width of the input port is not more than the width of the output port, obtaining the width of the output port when the width of the input port is greater than the width of the output port; and formatting the data from the input port to data configured for the obtained width of the output port and submitted the formatted data as

processed data. This is simply not done by Yokoyama. As can be best understood, Yokoyama transmits 128 bit data or 256 bit data through ports that are capable of handling the various sized data. The system attempts to secure a band for transmission which may or may not be successful. There is no discussion that has been located which indicates that data is reformatted so that it is configured for the obtained width of the output port.

It is not believed that any of the other references of record supply this deficiency and for that reason, the independent claims 1, 12, 16 and 17 are believed to be in condition for immediate allowance. Claim 11 is also believed to be allowable for the reason that Yokoyama totally fails to anticipate, teach or suggest a crossbar having a plurality of virtual communication channels on each input port. The examiner attempts to equate a plurality of virtual communication channels on each input port to data paths that are provided by the interconnection of switches in Fig. 5. Applicant believes that this is a totally misplaced reliance on the switch configuration shown in Fig. 5. It has nothing to do with virtual communication channels that are claimed.

Since the dependent claims necessarily include the features of the independent claims from which they depend, and in addition, recite other features or functionality not found in those independent claims, it is believed that these claims are also in condition for immediate allowance.

For the foregoing reasons, reconsideration and allowance of all claims pending in the application is respectfully requested.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

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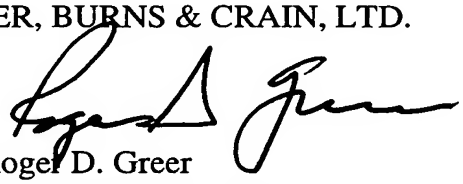
By 
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